ported withdrawal from the nomination, and about half an hour later McKay filed with the secretary of state his purported withdrawal from the nomination. Acting pursuant to the order of this court, the secretary of state, on August 9th, refused to accept the purported withdrawal of McKay. In our decision, in the proceedings which resulted in that order we said: 'In the case at bar, as we view it, there was nothing in the law which would prevent the first party applying to withdraw from having the application complied with. In other words, Raymond A. Gott, having applied to the secretary of state to have his name withdrawn, could, in our judgment, properly have that request complied with. As soon, however, as his name was withdrawn, the other party to the contest for Republican nomination, namely, Richard A. McKay, became, by operation of the law (subdivision 9, c. 14), the party nominee for the office of attorney general, and, having become the party nominee, under the statute and under the rule as laid down by this court in the case of Donnelley *v.* Hamilton [33 Nev. 418, 111 Pac. 102], supra, he could not withdraw.' State ex rel. Thatcher *v.* Brodigan, 37 Nev. —, 142 Pac. 522. Gott now asks for a writ of prohibition restraining the secretary of state from certifying or causing to be placed or printed the name of McKay upon the official ballot as the nominee of the republican party for attorney general, because of his failure to file a statement of his campaign expenses under the law relating to the purity of elections passed at the last session of the Legislature. The court held that inasmuch as McKay became the Republican nominee to be placed on the ballot for the general election, and as no one opposed him, he was not a candidate for the primary election, after the withdrawal of Gott. Consequently, McKay was not a candidate for the nomination at the time the names of candidates for the nomination were certified and printed on the primary election ballot. Therefore we conclude that, under the language of the statute providing that 'every candidate for nomination or election to public office * * * shall five days before and fifteen days after the election at which he is a candidate,' file a statement, McKay, not being a candidate for the nomination at those times, and having no contest or interest in the primary election, was not required to file a statement, either five days before or fifteen days after the primary election."

Disappointed Candidate Seeks to Recover Damages.—A rather novel question is presented to the Kentucky Court of Appeals in the case of Brodie *v.* Haswell, 169 Southwestern Reporter, 856. Plaintiff was nominated by a convention of the Republican party in the year 1909 for the office of circuit court clerk. For some reason his name was not included in the certificate of candidates prepared by the chairman and secretary of the convention to be filed with the

county clerk. The omission was not discovered until the time fixed by law for filing such certificate had expired, and authority to then file an amended certificate including plaintiff's name was denied by the clerk, and his action upheld by the Court of Appeals in the case of Brodie *v.* Hook, 135 Kentucky, 87, 121 Southwestern Reporter, 979. In the autumn of 1913 plaintiff instituted the present action against the chairman and secretary of the convention, alleging that the failure to include plaintiff's name in the certificate of nominations was due to their negligence, and that he was thereby deprived of the emoluments of the office to which he alleged he would have been elected, as the other candidates of his party were successful at the election. Defendants demurred to the petition and the demurrer was sustained by the lower court. The Court of Appeals, in affirming the action of the lower court, quotes from the statutes bearing on the subject, and holds that the primary duty of filing a certificate devolved on plaintiff himself, and that, if defendants agreed to attend to it, they acted merely as his agents without compensation, and would not be held liable for an inadvertence which he should have discovered.

MISCELLANY.

Free Legal Aid.—A new departure has been made in the law courts of England by which free legal service is provided for poor litigants. Access to the English courts has hitherto been practically denied to poor people, owing to the high scale of legal fees. A department of the courts has now been established where poor people can go directly without consulting a lawyer and present their grievances. If these are decided to be real and well founded from a legal point of view the government will undertake to carry their cases through and the expense will be paid from the public funds. Solicitors and barristers who are willing to take up these matters will enroll their names with the department, and cases will be allotted to them in court. No fees will be asked of the litigants, who will thus be placed on equality with the well-to-do in their ability to secure justice.

In the United States, by reason of the prevalent practice among lawyers to take cases upon speculation, the condition of the poor is not so bad as it has been in England in the matter of obtaining legal redress. Nevertheless, even in this country, the high cost of litigation has hampered, if not absolutely prevented, many people of small means from seeking justice in the courts. This condition has been somewhat ameliorated by the legal aid societies of one kind